

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of Online Political Files of	)	File No.: MB/POL-07072020-D
	)	
iHeartMedia, Inc.	)	FRN: 0019970417
	)	
Licensee of Various Commercial Radio Stations	)	
	)	
	)	

**ORDER**

**Adopted: July 22, 2020****Released: July 22, 2020**

By the Chief, Media Bureau:

1. In this Order, we adopt the attached Consent Decree entered into between the Federal Communications Commission (the Commission) and iHeartMedia, Inc. (iHeart). The Consent Decree resolves the Commission's investigation into whether iHeart violated section 315(e)(3) of the Communications Act of 1934, as amended (the Act), and section 73.1943(c) of the Commission's rules in connection with the timeliness of uploads of required information to the online political files of certain of its owned and operated radio stations. To resolve this matter, iHeart agrees, among other things, to implement a comprehensive Compliance Plan and to provide periodic Compliance Reports to the Bureau.

2. The Commission first adopted rules requiring broadcast stations to maintain public files documenting requests for political advertising time more than 80 years ago,<sup>1</sup> and political file obligations have been embodied in section 315(e) of the Act since 2002.<sup>2</sup> Section 315(e)(1) requires radio station licensees, among other regulatees, to maintain and make available for public inspection information about each request for the purchase of broadcast time that is made: (a) by or on behalf of a legally qualified candidate for public office,<sup>3</sup> or (b) by an issue advertiser whose advertisement communicates a message relating to a political matter of national importance.<sup>4</sup> Section 315(e)(3) of the Act requires stations to upload information about such requests to their online political files "as soon as possible."<sup>5</sup> Section 73.1943(a) of the Commission's Rules requires stations to maintain and make available for public inspection information about all requests for broadcast time made by or on behalf of candidates for public office,<sup>6</sup> and section 73.1943(c) requires stations to upload such information to their online political files "as soon as possible," meaning "immediately absent unusual circumstances."<sup>7</sup>

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<sup>1</sup> See 3 Fed. Reg. 1691 (1938).

<sup>2</sup> 47 U.S.C. § 315. See Bipartisan Campaign Reform Act of 2002, P.L. 107-155, 116 Stat. 81 (2002).

<sup>3</sup> 47 U.S.C. § 315(e)(1)(A).

<sup>4</sup> 47 U.S.C. § 315(e)(1)(B).

<sup>5</sup> 47 U.S.C. § 315(e)(3).

<sup>6</sup> 47 CFR § 73.1943(a).

<sup>7</sup> 47 CFR § 73.1943(c).

3. It is crucial that stations maintain political files that are complete and up to date because the information in them directly affects, among other things, the statutory rights of opposing candidates to request equal opportunities pursuant to section 315(a) of the Act<sup>8</sup> and present their positions to the public prior to an election.<sup>9</sup> In addition, as the Commission has stated, “the disclosures included in the political file further the First Amendment’s goal of an informed electorate that is able to evaluate the validity of messages and hold accountable the interests that disseminate political advocacy.”<sup>10</sup>

4. iHeart is the licensee of various commercial radio stations across the country. In February 2020, iHeart voluntarily informed the Bureau that many of its stations had not uploaded records of requests for the purchase of political broadcast time in a timely manner. iHeart’s disclosure was consistent with the information that it provided in multiple license renewal applications filed with the Commission during the current license renewal cycle.

5. Following discussions with Bureau staff earlier this year, iHeart informally agreed to adopt a Best Practices Plan and to submit a Compliance Report to the Bureau covering a limited period of time. That Compliance Report revealed a significant improvement by iHeart in complying with its political file obligations. iHeart has now formally agreed to enter into the attached Consent Decree, pursuant to which iHeart admits that it violated its political file obligations by not uploading required records in a timely manner. iHeart further agrees to implement a comprehensive compliance plan to ensure future compliance with its political file obligations and to submit periodic compliance reports to the Bureau.

6. After reviewing the terms of the Consent Decree and evaluating the facts before us, we find that the public interest would be served by adopting the Consent Decree and terminating the referenced investigation regarding iHeart’s compliance with section 315(e)(3) of the Act and section 73.1943(c) of the Rules.

7. Accordingly, **IT IS ORDERED** that, pursuant to the authority delegated by section 0.61(e) and 0.283 of the Commission’s rules,<sup>11</sup> the attached Consent Decree **IS ADOPTED** and its terms incorporated by reference.

8. **IT IS FURTHER ORDERED** that the above-captioned matter **IS TERMINATED**.

1. **IT IS FURTHER ORDERED** that a copy of this Order and Consent Decree shall be served via electronic mail to Kathleen A. Kirby, Esq., Wiley Rein LLP, counsel for iHeartMedia, Inc., at [kkirby@wiley.law](mailto:kkirby@wiley.law).

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey  
Chief, Media Bureau

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<sup>8</sup> 47 U.S.C. § 315(a).

<sup>9</sup> Pursuant to section 73.1941(c) of the Rules, candidates have one week from an opponent’s initial “use” to request equal opportunities. 47 CFR § 73.1941(c). The failure by a station to promptly upload information about each “use” denies requesting candidates the notice they need to assert their statutory rights to equal opportunities in a timely manner. *See Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, Second Report and Order, 27 FCC Rcd 4535, 4562 para. 55 (2012).

<sup>10</sup> *Id.* at 4543-44, para. 16.

<sup>11</sup> 47 CFR §§ 0.61(e), 0.283.



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<b>IHEARTMEDIA, INC.</b>	)	FRN: 0019970417
	)	
Licensee of Various Commercial Radio Stations	)	

**CONSENT DECREE**

1. The Media Bureau (Bureau) of the Federal Communications Commission (Commission) and iHeartMedia, Inc. (iHeart), by their authorized representatives, hereby enter into this Consent Decree for the purpose of terminating the Bureau's investigation, as defined below, into iHeart's compliance with section 315(e)(3) of the Communications Act of 1934, as amended,<sup>12</sup> and section 73.1943(c) of the Commission's rules,<sup>13</sup> relating the maintenance of online political files. As set forth herein, to resolve this matter, iHeart agrees, among other things, to implement a comprehensive Compliance Plan and provide periodic Compliance Reports to the Bureau.

**I. DEFINITIONS**

2. For the purposes of this Consent Decree, the following definitions shall apply:
- (a) "Act" means the Communications Act of 1934, as amended, 47 U.S.C. § 151 *et seq.*
  - (b) "Adopting Order" means an Order of the Media Bureau adopting the terms of this Consent Decree without change, addition, deletion, or modification.
  - (c) "Bureau" or "Media Bureau" means the Media Bureau of the Commission.
  - (d) "Commission" or "FCC" means the Federal Communications Commission and all of its bureaus and offices.
  - (e) "Communications Laws" means, collectively, the Act, the Rules, and the published and promulgated orders and decisions of the Commission.
  - (f) "Compliance Officer" means the individual designated in Paragraph 12 of this Consent Decree as the person responsible for administration of the Compliance Plan.
  - (g) "Compliance Plan" means the compliance obligations, program, and procedures described in this Consent Decree at Paragraph 13.
  - (h) "Covered Employees" means all employees and agents of the Company who perform, supervise, oversee, or manage the performance of duties that relate to iHeart's responsibilities under the Communications Laws, including the Political Programming and Record-Keeping Statutes and Rules.
  - (i) "Effective Date" means the date by which both the Bureau and iHeart have signed the Consent Decree.

<sup>12</sup> 47 U.S.C. § 315(e)(3).

<sup>13</sup> 47 CFR § 73.1943(c).

- (j) “iHeart” or the “Company” means iHeartMedia, Inc. and its affiliates, subsidiaries, predecessors-in-interest, and successors-in-interest.
- (k) “iHeart Stations” means all broadcast stations of which iHeart is or becomes the licensee during the term of this Consent Decree.
- (l) “Investigation” means the Bureau’s investigation regarding iHeart’s compliance with the Political Programming and Record-Keeping Statutes and Rules.
- (m) “Operating Procedures” means the standard internal operating procedures and compliance policies established by iHeart to implement the Compliance Plan.
- (n) “Parties” means iHeart and the Bureau, each of which is a “Party.”
- (o) “Political Programming and Record-Keeping Statutes and Rules” means 47 U.S.C. §§ 312(a)(7), 315, and 317; 47 CFR §§ 73.1212, 73.1940, 73.1941, 73.1942, 73.1943, 73.1944, and 73.3526; and other provisions of the Act, the Rules, and Commission orders related to political programming and record-keeping.
- (p) “Rules” means the Commission’s regulations found in Title 47 of the Code of Federal Regulations.

## II. BACKGROUND

3. The Commission first adopted rules requiring broadcast stations to maintain public files documenting requests for political advertising time more than 80 years ago,<sup>14</sup> and political file obligations have been embodied in section 315(e) of the Act since 2002.<sup>15</sup> Section 315(e)(1) requires radio station licensees, among other regulatees, to maintain and make available for public inspection information about each request for the purchase of broadcast time that is made: (a) by or on behalf of a legally qualified candidate for public office,<sup>16</sup> or (b) by an issue advertiser whose advertisement communicates a message relating to a political matter of national importance.<sup>17</sup> Section 315(e)(3) of the Act requires stations to upload information about such requests to their online political files “as soon as possible.”<sup>18</sup> Section 73.1943(a) of the Commission’s Rules requires stations to maintain and make available for public inspection information about all requests for broadcast time made by or on behalf of candidates for public office,<sup>19</sup> and section 73.1943(c) requires stations to upload such information to their online political files “as soon as possible,” meaning “immediately absent unusual circumstances.”<sup>20</sup>

4. It is crucial that stations maintain political files that are complete and up to date because the information in them directly affects, among other things, the statutory rights of opposing candidates to request equal opportunities pursuant to section 315(a) of the Act<sup>21</sup> and present their positions to the public prior to an election.<sup>22</sup> In addition, as the Commission has stated, “the disclosures included in the political

<sup>14</sup> See 3 Fed. Reg. 1691 (1938).

<sup>15</sup> 47 U.S.C. § 315. See Bipartisan Campaign Reform Act of 2002, P.L. 107–155, 116 Stat. 81 (2002).

<sup>16</sup> 47 U.S.C. § 315(e)(1)(A).

<sup>17</sup> 47 U.S.C. § 315(e)(1)(B).

<sup>18</sup> 47 U.S.C. § 315(e)(3).

<sup>19</sup> 47 CFR § 73.1943(a).

<sup>20</sup> 47 CFR § 73.1943(c).

<sup>21</sup> 47 U.S.C. § 315(a).

<sup>22</sup> Pursuant to section 73.1941(c) of the Rules, candidates have one week from an opponent’s initial “use” to request equal opportunities. 47 CFR § 73.1941(c). The failure by a station to promptly upload information about each

(continued....)

file further the First Amendment's goal of an informed electorate that is able to evaluate the validity of messages and hold accountable the interests that disseminate political advocacy."<sup>23</sup>

5. As of December 31, 2019, iHeart was the licensee of 856 radio stations in 160 markets.<sup>24</sup> In February 2020, iHeart voluntarily informed the Bureau that many of its stations had not routinely been uploading records of requests for the purchase of political broadcast time in a timely manner. iHeart's disclosure was consistent with the information that it had provided in multiple license renewal applications, the processing of which the Bureau decided to hold in abeyance pending the outcome of its investigation.<sup>25</sup> Following discussions with Bureau and Commission staff, iHeart voluntarily agreed to adopt a Best Practices Plan and submit a Compliance Report to the Bureau covering the five week period spanning the last full week of February and all of March 2020. The Compliance Report that iHeart submitted revealed a dramatic improvement by the Company in complying with its political file obligations.<sup>26</sup> iHeart achieved a substantial level of compliance during the reporting period which coincided with the March 11, 2020, World Health Organization's classification of COVID-19 as a pandemic and the March 13, 2020, the Presidential declaration of a national emergency. We recognize that this period has placed the radio broadcast industry as a whole under significant financial stress from a dramatic reduction in advertising revenues. The Parties believe that iHeart's voluntary disclosure and cooperation, combined with the exceptional circumstances brought about by the COVID-19 coronavirus pandemic, present a unique situation and, on balance, warrant resolution of the Bureau's investigation under the terms and conditions described below. It is in express consideration of these unique conditions that the Bureau, in the exercise of its prosecutorial discretion, forbears from including a civil penalty on the basis of the iHeart Stations' noncompliance during their license terms as an element of the Bureau's agreement to enter this Consent Decree.

### III. TERMS OF AGREEMENT

6. **Adopting Order.** The provisions of this Consent Decree shall be incorporated by the Bureau in an Adopting Order.

7. **Jurisdiction.** iHeart agrees that the Bureau has jurisdiction over it and the matters contained in this Consent Decree and has the authority to enter into and adopt this Consent Decree.

8. **Effective Date.** The Parties agree that this Consent Decree shall become effective on the Effective Date as defined herein. As of the Effective Date, the Parties agree that this Consent Decree shall have the same force and effect as any other order of the Commission.

9. **Termination of Investigation.** In express reliance on the covenants and representations in this Consent Decree and to avoid further expenditure of public resources, the Bureau agrees to terminate the Investigation. In addition, the Bureau agrees to process all license renewal applications filed by iHeart during the current renewal cycle (ending on August 1, 2022) subject to ordinary Audio

(Continued from previous page) \_\_\_\_\_

"use" denies requesting candidates the notice they need to assert their statutory rights to equal opportunities in a timely manner. See *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, Second Report and Order, 27 FCC Rcd 4535, 4562 para. 55 (2012).

<sup>23</sup> *Id.* at 4543-44, para. 16.

<sup>24</sup> See <https://d18rn0p25nwr6d.cloudfront.net/CIK-0001400891/973e2c8d-d919-466f-9b5c-2c137129c459.pdf> reviewed on May 12, 2020.

<sup>25</sup> To date, iHeart has filed 400 license renewal applications during the current license renewal cycle. Of that number, iHeart was able to certify compliance with its public file obligations in only 24 (6%) of its applications. Most, if not all, were attributable to late-filed political records. The applications are listed in Appendix A.

<sup>26</sup> Based on its compliance report, iHeart achieved more than 99% compliance with its political file obligations during the five-week period.

Division, Media Bureau procedures. In consideration for such, the Company agrees to the terms, conditions, and procedures contained herein. The Bureau agrees that, in the absence of new material evidence, the Bureau will not use the facts developed in this Investigation through the Effective Date, or the existence of this Consent Decree, to institute, on its own motion or in response to any petition to deny or other third-party objection, any new proceeding, formal or informal, or take any action on its own motion against iHeart concerning the matters that were the subject of the Investigation. The Bureau also agrees that, in the absence of new material evidence, it will not use the facts developed in the Investigation through the Effective Date, or the existence of this Consent Decree, to institute on its own motion any proceeding, formal or informal, or to set for hearing the question of the Company's basic qualifications to be a Commission licensee or to hold Commission licenses or authorizations.<sup>27</sup>

10. **Admission of Liability.** iHeart admits for the purpose of this Consent Decree and for Commission civil enforcement purposes, and in express reliance on the provisions of Paragraph 9 herein, that the statements described in Paragraph are true and that iHeart failed to upload required information to its online political files in a timely manner and to otherwise maintain full and complete information in its political files, in repeated violation of section 315(e)(3) of the Act and section 73.1943(c) of the Rules.

11. iHeart acknowledges that the Commission or its delegated authority may use the facts which form the basis for this Consent Decree and its admission of liability in proposing any future sanctions against iHeart in the event iHeart is determined to have committed any violations of the Act, the Rules, or of any orders of the Commission after the Effective Date, whether related to political programming and record keeping or otherwise.<sup>28</sup>

12. **Compliance Officer.** To the extent it has not already done so, within thirty (30) calendar days after the Effective Date, the Company shall designate a senior corporate manager with the requisite corporate and organizational authority to serve as a Compliance Officer and to discharge the duties set forth below. The Compliance Officer shall report directly to iHeart's Chief Executive Officer on a regular basis, and shall be responsible for developing, implementing, and administering the Compliance Plan and ensuring that the Company complies with the terms and conditions of the Compliance Plan and this Consent Decree. In addition to the general knowledge of the Communications Laws necessary to discharge his or her duties under this Consent Decree, the Compliance Officer shall have specific knowledge of the Political Programming and Record-Keeping Statutes and Rules prior to assuming his/her duties.

13. **Compliance Plan.** For purposes of settling the matters set forth herein, the Company agrees that it shall, within 90 calendar days after the Effective Date, develop and implement a Compliance Plan designed to ensure future compliance with the Political Programming and Record-Keeping Statutes and Rules, and with the terms and conditions of this Consent Decree. The Compliance Plan must implement, at a minimum, the following procedures:

- (a) **Operating Procedures.** The Compliance Plan shall include Operating Procedures that all Covered Employees must follow to help ensure the Company's compliance with the Political Programming and Record-Keeping Statutes and Rules. The Operating Procedures shall include internal procedures and policies specifically designed to ensure that iHeart Stations upload all required information to their online political files in a timely manner and otherwise maintain full, complete, and up to date information therein. The Operating Procedures shall also include a compliance checklist that describes the

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<sup>27</sup> See 47 CFR § 1.93(b).

<sup>28</sup> Pursuant to section 503(b)(2)(E) of the Act, in exercising its forfeiture authority, the Commission may consider, among other things, "any history of prior offenses" by the licensee. 47 U.S.C. § 503(b)(2)(E).

steps that a Covered Employee must follow to ensure compliance with the Political Programming and Record-Keeping Statutes and Rules.

- (b) Compliance Manual. The Compliance Plan shall include a compliance manual that is distributed to all Covered Employees. Such distribution shall take place no later than 120 calendar days after the Effective Date. The compliance manual shall thoroughly explain the requirements embodied in the Political Programming and Record-Keeping Statutes and Rules, and it shall set forth the Operating Procedures (including the compliance checklist) that Covered Employees must follow to help ensure iHeart's compliance with the Political Programming and Record-Keeping Statutes and Rules. The Company shall periodically review and revise the compliance manual as necessary to ensure that the information set forth therein remains current, complete, accurate, and effective. The Company shall distribute any revisions to the compliance manual promptly to all Covered Employees.
- (c) Compliance Training Program. The Compliance Plan shall include a compliance training program to provide periodic training to Covered Employees on compliance with the Political Programming and Record-Keeping Statutes and Rules. As part of the compliance training program, Covered Employees shall be advised of the Company's obligation to report any noncompliance with the Political Programming and Record-Keeping Statutes and Rules under Paragraph 13(f) of this Consent Decree and shall be instructed on how to disclose noncompliance to the Compliance Officer. All Covered Employees shall receive initial training under the compliance training program within 150 calendar days after the Effective Date, except that any person who becomes a Covered Employee at any time after such initial training is provided shall receive training under the compliance training program within 30 calendar days after the date he or she becomes a Covered Employee. The Company shall provide training under the compliance training plan on at least an annual basis, and it shall periodically review and revise the compliance training program as necessary to ensure that it remains current, complete, and effective.
- (d) Industry Education. The Company shall cooperate with the National Association of Broadcasters and state broadcast associations, as appropriate, by encouraging and promoting education and training with respect to the Political Record-Keeping Statutes and Rules for radio broadcasters, including small broadcasters or stations with limited resources.
- (e) Compliance Reports. iHeart shall submit periodic compliance reports with the Bureau. The first compliance report shall be filed no later than December 10, 2020, and cover the 60-day period preceding the general election on November 3, 2020. A second compliance report shall be filed no later than December 10, 2021, and cover the 6-month period preceding the general election on November 2, 2021. The Bureau may, within its sole discretion, require iHeart to submit more frequent or additional compliance reports.
  - i. Each compliance report shall include a spreadsheet and detailed description documenting the Company's efforts during the relevant period to comply with the Political Programming and Record-Keeping Statutes and Rules, and with the terms and conditions of this Consent Decree. In addition, each compliance report shall include a certification by the Compliance Officer, as an agent of and on behalf of the Company, stating that the Compliance Officer has personal knowledge that the Company: (i) has established and implemented the Compliance Plan; (ii) has utilized the operating procedures since the implementation of the Compliance Plan; and (iii) is not aware of any instances of



- noncompliance with the terms and conditions of this Consent Decree, including the reporting obligations set forth in Paragraph 13(f) of this Consent Decree
- ii. The Compliance Officer's certification shall be accompanied by a statement explaining the basis for such certification and must comply with section 1.16 of the Rules,<sup>29</sup> and be subscribed to as true under penalty of perjury in substantially the form set forth therein.
  - iii. If the Compliance Officer is unable to provide the requisite certification, the Compliance Officer, as an agent of and on behalf of the Company, shall provide the Bureau with a detailed explanation of the reason(s) why and describe fully: (i) each instance of noncompliance; (ii) the steps that the Company has taken or will take to remedy such noncompliance, including the schedule on which such proposed remedial action will be taken; and (iii) the steps that the Company has taken or will take to prevent the recurrence of any such noncompliance, including the schedule on which such preventive action will be taken.
  - iv. iHeart's Chief Executive Officer shall certify that he or she has reviewed each compliance report and that, based on his or her knowledge, the compliance report does not contain any untrue statement of a material fact, does not omit to state a material fact necessary to make the statements made therein, and is not misleading with respect to the period covered by the compliance report.
  - v. All compliance reports shall be submitted to the Political Programming staff: Robert Baker, Assistant Chief, Policy Division, Media Bureau, Federal Communications Commission, at [Robert.Baker@fcc.gov](mailto:Robert.Baker@fcc.gov); Gary Schonman, Special Counsel, Policy Division, Media Bureau, Federal Communications Commission, at [Gary.Schonman@fcc.gov](mailto:Gary.Schonman@fcc.gov); and Sima Nilsson, Attorney-Advisor, Media Bureau, Federal Communications Commission, at [Sima.Nilsson@fcc.gov](mailto:Sima.Nilsson@fcc.gov).
- (f) **Reporting Noncompliance.** The Company shall report any instance of noncompliance with the Political Programming and Record-Keeping Statutes and Rules, and any instance of noncompliance with the terms and conditions of this Consent Decree within 10 calendar days after discovery of such noncompliance. Such reports shall include a detailed explanation of: (i) each such instance of noncompliance; (ii) the steps that the Company has taken or will take to remedy such noncompliance; (iii) the schedule on which such remedial actions will be taken; and (iv) the steps that the Company has taken or will take to prevent the recurrence of any such noncompliance. All reports of noncompliance shall be submitted to the Political Programming staff: Robert Baker, Assistant Chief, Policy Division, Media Bureau, Federal Communications Commission, at [Robert.Baker@fcc.gov](mailto:Robert.Baker@fcc.gov); Gary Schonman, Special Counsel, Policy Division, Media Bureau, Federal Communications Commission, at [Gary.Schonman@fcc.gov](mailto:Gary.Schonman@fcc.gov); and Sima Nilsson, Attorney-Advisor, Media Bureau, Federal Communications Commission, at [Sima.Nilsson@fcc.gov](mailto:Sima.Nilsson@fcc.gov).

14. **Termination Date.** The requirements set forth in this Consent Decree shall terminate 60 days after the filing of the final compliance report referenced in Paragraph 13(e), provided the Bureau is satisfied that iHeart has demonstrated substantial compliance with its political file obligations. If the Bureau is not satisfied that iHeart has demonstrated substantial compliance with its political file obligations, the Bureau may, within its sole discretion and authority, extend the termination date of this Consent Decree for up to an additional 24 months. The Company acknowledges that the Bureau

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<sup>29</sup> 47 CFR § 1.16.

retains the discretion and authority to propose sanctions against Company, including the issuance of notices of apparent liability for forfeitures, for any suspected or alleged noncompliance by Company with the Political Record-Keeping Statute and Rule that occurs during the term of this Consent Decree.

15. **Waivers**. As of the Effective Date, iHeart waives any and all rights it may have to seek administrative or judicial reconsideration, review, appeal, or stay, or to otherwise challenge or contest the validity of this Consent Decree and the Adopting Order. The Company shall retain the right to challenge Commission interpretation of the Consent Decree or any terms contained herein. If either Party (or the United States on behalf of the Commission) brings a judicial action to enforce the terms of the Consent Decree or Adopting Order, neither the Company nor the Commission shall contest the validity of the Consent Decree or the Adopting Order, and the Company shall waive any statutory right to a trial *de novo*. The Company hereby agrees to waive any claims it may have under the Equal Access to Justice Act<sup>30</sup> relating to the matters addressed in this Consent Decree.

16. **Severability**. The Parties agree that if any of the provisions of the Consent Decree shall be held unenforceable by any court of competent jurisdiction, such unenforceability shall not render unenforceable the entire Consent Decree, but rather the entire Consent Decree shall be construed as if not containing the particular unenforceable provision or provisions, and the rights and obligations of the Parties shall be construed and enforced accordingly.

17. **Invalidity**. In the event that this Consent Decree in its entirety is rendered invalid by any court of competent jurisdiction, it shall become null and void and may not be used in any manner in any legal proceeding.

18. **Subsequent Rule or Order**. The Parties agree that if any provision of this Consent Decree conflicts with any subsequent Rule or Order adopted by the Commission (except an order specifically intended to revise the terms of this Consent Decree to which the Company does not expressly consent) that provision will be superseded by such Rule or Order.

19. **Successors and Assigns**. iHeart agrees that the provisions of this Consent Decree shall be binding on its successors, assigns, and transferees.

20. **Final Settlement**. The Parties agree and acknowledge that this Consent Decree shall constitute a final settlement between the Parties with respect to the Investigation.

21. **Modifications**. This Consent Decree cannot be modified without the advance written consent of both Parties.

22. **Paragraph Headings**. The headings of the paragraphs in this Consent Decree are inserted for convenience only and are not intended to affect the meaning or interpretation of this Consent Decree.

23. **Authorized Representative**. Each Party represents and warrants to the other that it has full power and authority to enter into this Consent Decree. Each person signing this Consent Decree on

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<sup>30</sup> See 5 U.S.C. § 504; 47 CFR §§ 1.1501-1.1530.

behalf of a Party hereby represents that he or she is fully authorized by the Party to execute this Consent Decree and to bind the Party to its terms and conditions.

24. **Counterparts**. This Consent Decree may be signed in counterpart (including electronically or by facsimile). Each counterpart, when executed and delivered, shall be an original, and all of the counterparts together shall constitute one and the same fully executed instrument.

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Michelle M. Carey  
Chief, Media Bureau

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Date

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Paul McNicol  
Executive Vice President and General Counsel  
iHeartMedia, Inc.

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Date

Appendix A

Station Call Sign	Community of License	Application for License Renewal File No.
WACL	ELKTON, VA	0000074180
WASH	WASHINGTON, DC	0000074178
WAZR	WOODSTOCK, VA	0000074183
WBIG-FM	WASHINGTON, DC	0000074175
WCAO	BALTIMORE, MD	0000073877
WJDY	SALISBURY, MD	0000073922
WJJS	SALEM, VA	0000074194
WJJX	APPOMATTOX, VA	0000074191
WKCI	WAYNESBORO, VA	0000074185
WKCY	HARRISONBURG, VA	0000074181
WKCY-FM	HARRISONBURG, VA	0000074182
WKDW	STAUNTON, VA	0000074186
WKZP	WEST OCEAN CITY, MD	0000073915
WNOH	WINDSOR, VA	0000074351
WQHQ	OCEAN CITY-SALISBURY, MD	0000073919
WQSR	BALTIMORE, MD	0000073882
WROV-FM	MARTINSVILLE, VA	0000074192
WSTV	ROANOKE, VA	0000074193
WTGM	SALISBURY, MD	0000073921
WWDC	WASHINGTON, DC	0000074179
WWFG	OCEAN CITY, MD	0000073917
WYYD	AMHERST, VA	0000095857
WZFT	BALTIMORE, MD	0000073884
WZWB	KENOVA, WV	0000073850
KDJE	JACKSONVILLE, AR	0000104091
KEZA	FAYETTEVILLE, AR	0000103824
KHKN	MAUMELLE, AR	0000104108
KJMS	OLIVE BRANCH, MS	0000105142
KKIX	FAYETTEVILLE, AR	0000103867
KMAG	FORT SMITH, AR	0000104773
KMJX	CONWAY, AR	0000104096
KMXF	LOWELL, AR	0000103871
KRVE	BRUSLY, LA	0000105191
KSSN	LITTLE ROCK, AR	0000104103
KVDU	HOUMA, LA	0000104948
KWHN	FORT SMITH, AR	0000104775
KWNW	CRAWFORDSVILLE, AR	0000105179

Station Call Sign	Community of License	Application for License Renewal File No.
WAAX	GADSDEN, AL	0000095605
WACT	TUSCALOOSA, AL	0000095891
WAEV	SAVANNAH, GA	0000095883
WAGH	SMITHS, AL	0000095515
WAKS	AKRON, OH	0000115056
WAMX	MILTON, WV	0000095620
WAMZ	LOUISVILLE, KY	0000110304
WARF	AKRON, OH	0000114659
WAVW	STUART, FL	0000095579
WBBD	WHEELING, WV	0000095905
WBBG	NILES, OH	0000114634
WBBQ-FM	AUGUSTA, GA	0000095549
WBCG	MURDOCK, FL	0000095496
WBCT	GRAND RAPIDS, MI	0000115463
WBEX	CHILlicothe, OH	0000114919
WBFX	GRAND RAPIDS, MI	0000115466
WBGA	BRUNSWICK, GA	0000095259
WBGG-FM	FORT LAUDERDALE, FL	0000096392
WBHP	HUNTSVILLE, AL	0000095629
WBIN	ATLANTA, GA	0000096012
WBKS	COLUMBUS GROVE, OH	0000114561
WBTP	CLEARWATER, FL	0000096441
WBTT	NAPLES PARK, FL	0000096115
WBUL-FM	LEXINGTON, KY	0000110792
WBUV	MOSS POINT, MS	0000102712
WBVB	COAL GROVE, OH	0000115417
WBZT	WEST PALM BEACH, FL	0000095901
WBZW	UNION CITY, GA	0000105087
WBZY	CANTON, GA	0000095507
WCCF	PUNTA GORDA, FL	0000096053
WCHD	KETTERING, OH	0000114786
WCHI	CHILlicothe, OH	0000114883
WCHO	WASHINGTON COURT HOU, OH	0000114922
WCHO-FM	WASHINGTON COURT HOU, OH	0000114924
WCJM-FM	WEST POINT, GA	0000095254
WCKT	LEHIGH ACRES, FL	0000096116
WCKY	CINCINNATI, OH	0000115398
WCKY-FM	PEMBERVILLE, OH	0000114944
WCOH	NEWNAN, GA	0000096052
WCOL-FM	COLUMBUS, OH	0000114838

Station Call Sign	Community of License	Application for License Renewal File No.
WCOS	COLUMBIA, SC	0000095568
WCOS-FM	COLUMBIA, SC	0000095570
WCTQ	VENICE, FL	0000096079
WCVU	SOLANA, FL	0000096055
WCWA	TOLEDO, OH	0000114947
WCZR	VERO BEACH, FL	0000095581
WDAE	ST. PETERSBURG, FL	0000096439
WDAK	COLUMBUS, GA	0000095523
WDAR-FM	DARLINGTON, SC	0000095183
WDCG	DURHAM, NC	0000095640
WDDV	PANAMA CITY, FL	0000096414
WDFM	DEFIANCE, OH	0000115330
WDFN	DETROIT, MI	0000114569
WDIA	MEMPHIS, TN	0000110142
WDIZ	VENICE, FL	0000105089
WDMX	VIENNA, WV	0000095463
WDRM	DECATUR, AL	0000095627
WDSC	DILLON, SC	0000095175
WDXB	PELHAM, AL	0000095553
WEBN	CINCINNATI, OH	0000115401
WEBZ	MEXICO BEACH, FL	0000096416
WEGR	ARLINGTON, TN	0000110153
WEGW	WHEELING, WV	0000095910
WEGX	DILLON, SC	0000095186
WEND	SALISBURY, NC	0000095560
WERC	BIRMINGHAM, AL	0000095552
WERC-FM	HOOVER, AL	0000095558
WESC	GREENVILLE, SC	0000096128
WESC-FM	GREENVILLE, SC	0000096129
WESE	BALDWIN, MS	0000103618
WEZL	CHARLESTON, SC	0000096037
WFBQ	INDIANAPOLIS, IN	0000110582
WFFX	HATTIESBURG, MS	0000102634
WFKS	MELBOURNE, FL	0000095632
WFLA	TAMPA, FL	0000096085
WFLA-FM	MIDWAY, FL	0000096428
WFLF	PINE HILLS, FL	0000096403
WFLF-FM	PARKER, FL	0000096417
WFLZ-FM	TAMPA, FL	0000096089
WFMF	BATON ROUGE, LA	0000105181
WFQX	FRONT ROYAL, VA	0000095990

Station Call Sign	Community of License	Application for License Renewal File No.
WFSY	PANAMA CITY, FL	0000096418
WFUS	GULFPORT, FL	0000096091
WFXJ	JACKSONVILLE, FL	0000096376
WFXN-FM	GALION, OH	0000115070
WGAR-FM	CLEVELAND, OH	0000115007
WGEX	BAINBRIDGE, GA	0000095501
WGIG	BRUNSWICK, GA	0000095265
WGMY	THOMASVILLE, GA	0000095544
WGMZ	GLENCOE, AL	0000095601
WGST	HOGANSVILLE, GA	0000096049
WGSY	PHENIX CITY/COLUMBUS, AL	0000095532
WGTR	BUCKSPORT, SC	0000095221
WGVL	GREENVILLE, SC	0000095612
WHAL-FM	HORN LAKE, MS	0000105155
WHAS	LOUISVILLE, KY	0000110248
WHBT-FM	MOYOCK, NC	0000095470
WHFX	DARIEN, GA	0000095262
WHLH	JACKSON, MS	0000104612
WHLK	CLEVELAND, OH	0000115015
WHLO	AKRON, OH	0000114666
WHLW	LUVERNE, AL	0000095635
WHNZ	TAMPA, FL	0000096087
WHOF	NORTH CANTON, OH	0000114670
WHOS	DECATUR, AL	0000095626
WHQC	SHELBY, NC	0000096111
WHRK	MEMPHIS, TN	0000110157
WHTY	PHENIX CITY, AL	0000095530
WHYI-FM	FORT LAUDERDALE, FL	0000096393
WIBB-FM	FORT VALLEY, GA	0000095282
WIHB	MACON, GA	0000095277
WIHB-FM	GRAY, GA	0000095280
WIHT	WASHINGTON, DC	0000095132
WIKX	CHARLOTTE HARBOR, FL	0000096057
WIMA	LIMA, OH	0000114562
WIMT	LIMA, OH	0000114563
WINZ	MIAMI, FL	0000096385
WIOD	MIAMI, FL	0000096391
WIOT	TOLEDO, OH	0000114980
WIZE	SPRINGFIELD, OH	0000114788
WJBO	BATON ROUGE, LA	0000105186
WJBT	CALLAHAN, FL	0000096380

Station Call Sign	Community of License	Application for License Renewal File No.
WJDX	JACKSON, MS	0000104610
WJDX-FM	KOSCIUSKO, MS	0000104607
WJIZ-FM	ALBANY, GA	0000095499
WJKX	ELLISVILLE, MS	0000102594
WJLB	DETROIT, MI	0000114581
WJMX	DARLINGTON, SC	0000095178
WJMX-FM	CHERAW, SC	0000095190
WJNO	WEST PALM BEACH, FL	0000096445
WJQQ	SOMERSET, KY	0000110676
WJRR	COCOA BEACH, FL	0000096406
WJYZ	ALBANY, GA	0000095505
WKBN	YOUNGSTOWN, OH	0000114636
WKBZ	MUSKEGON, MI	0000115496
WKDD	MUNROE FALLS, OH	0000114648
WKEE-FM	HUNTINGTON, WV	0000095621
WKFS	MILFORD, OH	0000115402
WKGR	WELLINGTON, FL	0000096446
WKII	SOLANA, FL	0000096423
WKJK	LOUISVILLE, KY	0000110266
WKKJ	CHILLICOTHE, OH	0000114886
WKKR	AUBURN, AL	0000095247
WKKT	STATESVILLE, NC	0000095561
WKMQ	TUPELO, MS	0000103058
WKNN-FM	PASCAGOULA, MS	0000102719
WKQI	DETROIT, MI	0000114587
WKQQ	WINCHESTER, KY	0000110742
WKRC	CINCINNATI, OH	0000115403
WKRD	LOUISVILLE, KY	0000110283
WKSF	OLD FORT, NC	0000105042
WKSI-FM	STEPHENS CITY, VA	0000095164
WKSJ-FM	MOBILE, AL	0000095543
WKSL	NEPTUNE BEACH, FL	0000096383
WKSP	AIKEN, SC	0000095545
WKWK-FM	WHEELING, WV	0000095987
WLAC	NASHVILLE, TN	0000111186
WLAP	LEXINGTON, KY	0000110788
WLDI	JUNO BEACH, FL	0000096448
WLKO	HICKORY, NC	0000095562
WLKT	LEXINGTON-FAYETTE, KY	0000110723
WLLK-FM	SOMERSET, KY	0000110681
WLLZ	DETROIT, MI	0000114590



Station Call Sign	Community of License	Application for License Renewal File No.
WLQB	OCEAN ISLE BEACH, NC	0000095225
WLRQ-FM	COCOA, FL	0000095633
WLTP	MARIETTA, OH	0000114465
WLTU	CAYCE, SC	0000095571
WLUB	AUGUSTA, GA	0000095550
WLVH	HARDEEVILLE, SC	0000095861
WLW	CINCINNATI, OH	0000115405
WMAG	HIGH POINT, NC	0000095606
WMAN	MANSFIELD, OH	0000115073
WMAN-FM	FREDERICKTOWN, OH	0000115078
WMAX-FM	HOLLAND, MI	0000115468
WMGE	DRY BRANCH, GA	0000095278
WMGF	MOUNT DORA, FL	0000096407
WMGP	HOGANSVILLE, GA	0000096048
WMIA-FM	MIAMI BEACH, FL	0000096395
WMIB	FORT LAUDERDALE, FL	0000096396
WMJI	CLEVELAND, OH	0000115030
WMJJ	BIRMINGHAM, AL	0000095551
WMJY	BILOXI, MS	0000102722
WMKS	HIGH POINT, NC	0000095609
WMLX	ST. MARYS, OH	0000114564
WMMB	MELBOURNE, FL	0000095630
WMMS	CLEVELAND, OH	0000115045
WMMV	COCOA, FL	0000095631
WMMX	DAYTON, OH	0000114790
WMOV-FM	NORFOLK, VA	0000095443
WMRE	CHARLES TOWN, WV	0000095151
WMRN	MARION, OH	0000115272
WMRN-FM	MARION, OH	0000115273
WMRR	MUSKEGON HEIGHTS, MI	0000115505
WMRZ	DAWSON, GA	0000095504
WMSI-FM	JACKSON, MS	0000104611
WMTX	TAMPA, FL	0000096093
WMUS	MUSKEGON, MI	0000115507
WMXA	OPELIKA, AL	0000095252
WMXC	MOBILE, AL	0000095540
WMXD	DETROIT, MI	0000114592
WMXF	WAYNESVILLE, NC	0000105079
WMXL	LEXINGTON, KY	0000110786
WMXY	YOUNGSTOWN, OH	0000114639
WMYI	HENDERSONVILLE, NC	0000095613

Station Call Sign	Community of License	Application for License Renewal File No.
WMZQ-FM	WASHINGTON, DC	0000095148
WNCB	CARY, NC	0000095641
WNCD	YOUNGSTOWN, OH	0000114641
WNCI	COLUMBUS, OH	0000114844
WNCO	ASHLAND, OH	0000115082
WNCO-FM	ASHLAND, OH	0000115089
WNDE	INDIANAPOLIS, IN	0000110573
WNDH	NAPOLEON, OH	0000115334
WNIC	DEARBORN, MI	0000114595
WNIO	YOUNGSTOWN, OH	0000114643
WNOE-FM	NEW ORLEANS, LA	0000104965
WNOK	COLUMBIA, SC	0000095574
WNRQ	NASHVILLE, TN	0000111191
WNRW	PROSPECT, KY	0000110325
WNSL	LAUREL, MS	0000102613
WNTM	MOBILE, AL	0000095539
WNUS	BELPRE, OH	0000114466
WOBB	TIFTON, GA	0000095503
WODC	ASHVILLE, OH	0000114869
WODT	NEW ORLEANS, LA	0000104940
WOLL	HOBE SOUND, FL	0000096450
WOLT	INDIANAPOLIS, IN	0000110599
WOLZ	FORT MYERS, FL	0000096119
WONE	DAYTON, OH	0000114794
WONW	DEFIANCE, OH	0000115336
WOOD	GRAND RAPIDS, MI	0000115474
WOOD-FM	MUSKEGON, MI	0000115510
WOVK	WHEELING, WV	0000095988
WOWI	NORFOLK, VA	0000095450
WPAP	PANAMA CITY, FL	0000096420
WPCH	WEST POINT, GA	0000095255
WPEK	FAIRVIEW, NC	0000105058
WPOC	BALTIMORE, MD	0000096030
WPRW-FM	MARTINEZ, GA	0000095546
WPTI	EDEN, NC	0000096122
WQBT	SAVANNAH, GA	0000095880
WQBZ	FORT VALLEY, GA	0000095281
WQEN	TRUSSVILLE, AL	0000095556
WQGA	WAYCROSS, GA	0000095266
WQIK-FM	JACKSONVILLE, FL	0000096043
WQLX	CHILLICOTHE, OH	0000114905

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WQMF	JEFFERSONVILLE, IN	0000110334
WQNQ	FLETCHER, NC	0000105078
WQNS	WOODFIN, NC	0000096107
WQOL	VERO BEACH, FL	0000095584
WQRV	MERIDIANVILLE, AL	0000095534
WQUE-FM	NEW ORLEANS, LA	0000104926
WQYZ	OCEAN SPRINGS, MS	0000102724
WRBV	WARNER ROBINS, GA	0000095283
WRDG	BOWDON, GA	0000095510
WRDU	WAKE FOREST, NC	0000095644
WREC	MEMPHIS, TN	0000110146
WRFQ	MOUNT PLEASANT, SC	0000096039
WRFX	KANNAPOLIS, NC	0000095565
WRGV	PENSACOLA, FL	0000096399
WRKH	MOBILE, AL	0000095541
WRLX	RIVIERA BEACH, FL	0000096121
WRNO-FM	NEW ORLEANS, LA	0000104956
WROO	MAULDIN, SC	0000096131
WRQK-FM	CANTON, OH	0000114663
WRTR	BROOKWOOD, AL	0000095894
WRUB	SARASOTA, FL	0000096082
WRUM	ORLANDO, FL	0000096409
WRVB	MARIETTA, OH	0000114469
WRVF	TOLEDO, OH	0000114982
WRVW	LEBANON, TN	0000111196
WRXZ	BRIARCLIFF ACRES, SC	0000095226
WRZE	KINGSTREE, SC	0000095193
WSAI	CINCINNATI, OH	0000115407
WSBY-FM	SALISBURY, MD	0000095860
WSCC-FM	GOOSE CREEK, SC	0000096108
WSDF	LOUISVILLE, KY	0000110343
WSDV	SARASOTA, FL	0000096058
WSEK	BURNSIDE, KY	0000110647
WSEK-FM	BURNSIDE, KY	0000110639
WSFC	SOMERSET, KY	0000110652
WSIX-FM	NASHVILLE, TN	0000111200
WSNX-FM	MUSKEGON, MI	0000115478
WSOK	SAVANNAH, GA	0000095878
WSOL-FM	YULEE, FL	0000096046
WSPD	TOLEDO, OH	0000114989
WSRW	HILLSBORO, OH	0000114907

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WSRW-FM	GRAND RAPIDS, MI	0000115480
WSRZ-FM	CORAL COVE, FL	0000096083
WSSL-FM	GRAY COURT, SC	0000095614
WSTH-FM	ALEXANDER CITY, AL	0000095521
WSTZ-FM	VICKSBURG, MS	0000104608
WSVO	STAUNTON, VA	0000074187
WSWR	SHELBY, OH	0000115091
WTAK-FM	HARTSELLE, AL	0000095624
WTAM	CLEVELAND, OH	0000115048
WTCR-FM	HUNTINGTON, WV	0000095622
WTFX-FM	CLARKSVILLE, IN	0000110340
WTKG	GRAND RAPIDS, MI	0000115489
WTKK	KNIGHTDALE, NC	0000095645
WTKS	SAVANNAH, GA	0000095876
WTKS-FM	COCOA BEACH, FL	0000096412
WTKX-FM	PENSACOLA, FL	0000096401
WTLM	OPELIKA, AL	0000095251
WTLY	TALLAHASSEE, FL	0000096425
WTNT-FM	TALLAHASSEE, FL	0000096431
WTQR	WINSTON-SALEM, NC	0000096123
WTUE	DAYTON, OH	0000114796
WTUP	TUPELO, MS	0000103635
WTUP-FM	GUNTOWN, MS	0000103698
WTVN	COLUMBUS, OH	0000114846
WTXT	FAYETTE, AL	0000095896
WTZB	ENGLEWOOD, FL	0000096084
WUBL	ATLANTA, GA	0000096024
WUBT	RUSSELLVILLE, KY	0000111203
WUSQ-FM	WINCHESTER, VA	0000095992
WVBZ	CLEMMONS, NC	0000096125
WVHU	HUNTINGTON, WV	0000095616
WVKF	SHADYSIDE, OH	0000115342
WVKS	TOLEDO, OH	0000114991
WVOC	COLUMBIA, SC	0000095569
WVRK	COLUMBUS, GA	0000095511
WWJK	GREEN COVE SPRINGS, FL	0000096384
WWKZ	OKOLONA, MS	0000103039
WWMG	MILLBROOK, AL	0000095639
WWNC	ASHEVILLE, NC	0000105049
WWPW	ATLANTA, GA	0000095997
WWRK	FLORENCE, SC	0000095180

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WWTF	GEORGETOWN, KY	0000110736
WWVA	WHEELING, WV	0000095907
WWXM	GARDEN CITY, SC	0000095229
WWZD-FM	NEW ALBANY, MS	0000103649
WXBT	WEST COLUMBIA, SC	0000095576
WXLV	NORTH CHARLESTON, SC	0000096040
WXSR	QUINCY, FL	0000096435
WXTB	CLEARWATER, FL	0000096098
WXXF	LOUDONVILLE, OH	0000115092
WXXL	TAVARES, FL	0000095243
WXZX	HILLIARD, OH	0000114851
WYGM	ORLANDO, FL	0000096405
WYHT	MANSFIELD, OH	0000115096
WYKZ	BEAUFORT, SC	0000095862
WYLD	NEW ORLEANS, LA	0000104972
WYLD-FM	NEW ORLEANS, LA	0000104945
WYNA	CALABASH, NC	0000095234
WYNF	AUGUSTA, GA	0000095547
WYNK-FM	BATON ROUGE, LA	0000105195
WYNR	WAYCROSS, GA	0000095263
WYNT	CALEDONIA, OH	0000115274
WYTS	COLUMBUS, OH	0000114858
WZBQ	CARROLLTON, AL	0000095899
WZCB	DUBLIN, OH	0000114805
WZDA	BEAVERCREEK, OH	0000114798
WZHT	TROY, AL	0000095636
WZJZ	PORT CHARLOTTE, FL	0000096120
WZLD	PETAL, MS	0000102672
WZMG	PEPPERELL, AL	0000095244
WZOM	DEFIANCE, OH	0000115339
WZRL	PLAINFIELD, IN	0000110610
WZRX-FM	FORT SHAWNEE, OH	0000114565
WZTA	VERO BEACH, FL	0000095578
WZTF	SCRANTON, SC	0000095208
WZTU	MIAMI BEACH, FL	0000096397
WZZR	WEST PALM BEACH, FL	0000095904